

**2.7.22 MDE Feedback- HB 4810**

Bill Language	Problems with current language	Suggested language and Reasoning
<p>Sec. 1279g.</p> <p>(1) The board of a school district or board of directors of a public school academy shall comply with this section and shall administer the Michigan merit examination to pupils in grade 11, and to pupils in grade 12 who did not take the complete Michigan merit examination in grade 11, as provided in this section.</p>		
<p>(2) For the purposes of this section, the department of technology, management, and budget shall contract with 1 or more providers to develop, supply, and score the Michigan merit examination. The Michigan merit examination <del>shall</del> <b>must</b> consist of all of the following:</p> <p>(a) Assessment instruments that measure English language arts, mathematics, reading, and science and are used by colleges and universities in this state for entrance or placement purposes. <del>This shall include a writing component in which the pupil produces an extended writing sample. The Michigan merit examination shall not require any other extended writing sample.</del></p>	<p>Eliminating the state requirement does not eliminate the federal requirement. Removing the writing component from the MME would weaken our case to receive full peer review approval from USED for use of the SAT as our 11<sup>th</sup> grade accountability assessment. Passing peer review is a condition of federal funding. USED already has concerns about the extent to which SAT satisfies the ESSA requirements.</p>	

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<p>(b) One or more tests from 1 or more test developers that assess a pupil's ability to apply at least reading and mathematics skills in a manner that is intended to allow employers to use the results in making employment decisions. The department of technology, management, and budget and the superintendent of public instruction shall ensure that any test or tests selected under this subdivision have all the components necessary to allow a pupil to be eligible to receive the results of a nationally recognized evaluation of workforce readiness if the pupil's test performance is adequate.</p> <p>(c) A social studies component.</p> <p>(d) Any other component that is necessary to obtain the approval of the United States Department of Education to use the Michigan merit examination for the purposes of the no child left behind act of 2001, Public Law 107-110, or the every student succeeds act, Public Law 114-95.</p>		
<p>(3) In addition to all other requirements of this section, all of the following apply to the Michigan merit examination:</p> <p>(a) The department of technology, management, and budget and the superintendent of public instruction shall</p>		

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ensure that any contractor used for scoring the Michigan merit examination supplies an individual report for each pupil that will identify for the pupil's parents and teachers whether the pupil met expectations or failed to meet expectations for each standard, to allow the pupil's parents and teachers to assess and remedy problems before the pupil moves to the next grade.

(b) The department of technology, management, and budget and the superintendent of public instruction shall ensure that any contractor used for scoring, developing, or processing the Michigan merit examination meets quality management standards commonly used in the assessment industry, including at least meeting level 2 of the capability maturity model developed by the Software Engineering Institute of Carnegie Mellon University for the first year the Michigan merit examination is offered to all grade 11 pupils and at least meeting level 3 of the capability maturity model for subsequent years.

(c) The department of technology, management, and budget and the superintendent of public instruction shall ensure that any contract for scoring, administering, or developing the Michigan merit examination includes specific deadlines for all steps of the assessment process, including, but not limited to,

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<p>deadlines for the correct testing materials to be supplied to schools and for the correct results to be returned to schools, and includes penalties for noncompliance with these deadlines.</p> <p>(d) The superintendent of public instruction shall ensure that the Michigan merit examination meets all of the following:</p> <p>(i) Is designed to test pupils on grade level content expectations or course content expectations, as appropriate, in all subjects tested.</p> <p>(ii) Complies with requirements of the no child left behind act of 2001, Public Law 107-110, or the every student succeeds act, Public Law 114-95, as applicable.</p> <p>(iii) Is consistent with the code of fair testing practices in education prepared by the joint committee on testing practices of the American Psychological Association.</p> <p>(iv) Is factually accurate. If the superintendent of public instruction determines that a question is not factually accurate and should be excluded from scoring, the state board and the superintendent of public instruction shall ensure that the question is excluded from scoring.</p>		
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(4) A school district or public school academy that operates a high school shall include **the number of school days a pupil was in attendance at school each school year during high school and the total number of school days in session for each of those school years** on each ~~the~~ pupil's high school transcript. ~~all of the following:~~

~~(a) For each high school graduate who has completed the Michigan merit examination under this section, the pupil's sealed score on each subject area component of the Michigan merit examination.~~

~~(b) The number of school days the pupil was in attendance at school each school year during high school and the total number of school days in session for each of those school years.~~

**Analysis:**

ESSA requires a writing component for the accountability assessments. Unless the US Department of Education believes SAT never needed “with Essay” (which is not MDE’s understanding), Michigan will need either to continue to administer the SAT with Essay or else add some other writing component, an additional test as was done when the ACT was used as the 11<sup>th</sup> grade assessment.

If passed, this should be understood to have no impact unless the federal law also changes.

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### **Impact on Department Operations:**

If SAT with Essay continues under federal requirements: no impact. If the essay portion is removed: no significant change to Department operations, somewhat shorter testing time at local schools, federal funding threatened.

### **Specific Concerns:**

Eliminating the state requirement does not eliminate the federal requirement. Removing the writing component from the MME would weaken our case to receive full peer review approval from USED for use of the SAT as our 11<sup>th</sup> grade accountability assessment. Passing peer review is a condition of federal funding. USED already has concerns about the extent to which SAT satisfies the ESSA requirements.

### **Fiscal Impact (Department, State, and Local):**

Threat to federal funding, as ESSA requires a writing component for accountability assessments.